

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER COTTLE,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 23-cv-743
	:	
OFFICER RANDALL, <i>et. al.</i>	:	
	:	
Defendants.	:	
	:	

ORDER

AND NOW, this ____ day of August 2023, upon consideration of Defendants' Motion to extend the time with which to submit a Revised Statement of Facts in Support of Motion for Summary Judgment, it is ORDERED and DECREED that the Motion is GRANTED. The Defendants are permitted to submit a Revised Statement of Facts in Support of Motion for Summary Judgment by August 22, 2023.

BY THE COURT:

Kearney, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER COTTLE,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 23-cv-743
	:	
OFFICER RANDALL, <i>et. al.</i>	:	
	:	
Defendants.	:	
	:	

DEFENDANTS' MOTION TO EXTEND TIME TO FILE REVISED STATEMENT OF FACTS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Defendants Randall, Little, Young, Carter, Parker, Gourdine, and Terra, by counsel, hereby move this Court pursuant to Federal Rule of Civil Procedure 30 to extend the time with which to submit a Revised Statement of Facts in Support of Motion for Summary Judgment.

Dated: August 16, 2023

Respectfully submitted,

MICHELLE A. HENRY
Attorney General

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BY: /s/ Sarina Kaplan
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Deputy Attorney General

KAREN M. ROMANO
Chief Deputy Attorney General
Civil Litigation Section

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OFFICER RANDALL, <i>et. al.</i>	:	
	:	
Defendants.	:	
	:	

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION
TO EXTEND THE TIME TO SUBMIT A REVISED STATEMENT OF FACTS IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Defendants Randall, Little, Young, Carter, Parker, Gourdine, and Terra, by counsel, respectfully submit this memorandum of law in support of their Motion to extend the time with which to submit a Revised Statement of Material Facts.

I. FACTS

Defendants filed a timely Motion for Summary Judgment with an accompanying Statement of Facts on Saturday, August 12, 2023, ahead of the deadline of August 14, 2023, because the undersigned had a pre-planned and pre-paid family trip, beginning on August 14, 2023, until Friday, August 18, 2023. ECF 28.

On Monday, August 14, 2023, while out of the country, the undersigned counsel was notified by Court Order that the pagination of the exhibits contained in Defendants' Motion for Summary Judgment was not compliant with His Honor's Policies and Procedures. ECF 53. The undersigned attempted to fix the problem while working remotely, but unfortunately, had an

extremely difficult time with this task because of limited working conditions and available resources. ECF 54, 55 and 56. As a result, the undersigned counsel was notified by Court Order that the pagination of Defendants' exhibits was regrettably still not compliant with His Honor's Policies and Procedures. ECF 57. In the Court's Order, the Court graciously permitted Defendants time to correct the pagination; however, provided until August 16, 2023, to do so. The undersigned counsel is still out of the country on this date.

II. ARGUMENT

A court has the authority under the Rules of Civil Procedure, for good cause, to extend the time by which a party must act pursuant to court order. Fed. R. Civ. P. 6(b). Here, there is good cause to permit Defendants until August 22, to file a revised Statement of Facts in Support of their Motion for Summary Judgement. The undersigned counsel is out of the country on a family vacation and will be much better equipped to provide a revised set of exhibits, compliant with His Honor's Policies and Procedures once counsel is back in the country.

III. CONCLUSION

Wherefore, Defendants Randall, Little, Young, Carter, Parker, Gourdine, and Terra, respectfully request that the Court grant their application to extend the time to file a revised set of exhibits until Tuesday, August 22, 2023.

Dated: August 16, 2023

Respectfully submitted,

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	:	

CERTIFICATE OF SERVICE

I, Sarina M. Kaplan, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on August 16, 2023, a true and correct copy of the foregoing Motion to Extend Time to File Revised Exhibits in Support of Motion for Summary Judgment, and memorandum of law in support, has been filed electronically and is available for viewing and downloading from the Court's Electronic Case Filing System.

By: *s/ Sarina Kaplan*
Sarina Kaplan

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